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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,527	03/29/2004	Cheng-Tien Lai	70030845-1	3304
25859	7590	07/11/2005	EXAMINER	
WEI TE CHUNG FOXCONN INTERNATIONAL, INC. 1650 MEMOREX DRIVE SANTA CLARA, CA 95050			PAPE, ZACHARY	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

4-A

Office Action Summary	Application No.		Applicant(s)	
	10/812,527		LAI ET AL.	
	Examiner		Art Unit	
	Zachary M. Pape		2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-13 is/are allowed.
- 6) ☒ Claim(s) 1-6, 9, 10 and 14-17 is/are rejected.
- 7) ☒ Claim(s) 7, 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/29/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 8 is objected to because of the following informalities:

With respect to claim 8, in line 1 the phrase, "the spring finger is in located above" is incorrect. It appears that the phrase should be changed to read, "the spring finger is located above". Additionally in claim 8, it appears that the phrase, "the pressing part from being abruptly restored deformation" is incorrect and should be revised.

The examiner respectfully requests that the applicant review all claim language for other minor informalities such as the ones listed above and make all appropriate corrections.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 9 recites the limitation "the reinforcing ribs" in line 2. There is insufficient antecedent basis for this limitation in the claim. It appears that the first line of the claim should be changed to read, "The clip of claim 7".

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, 10, 14, 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Liu (US 6,731,504). With respect to claim 1, Liu teaches the use of a clip adapted to secure a heat sink to an electronic device, the clip comprising: a main body (Comprising 10, 11, and 13; Fig 2) comprising a pressing part (10) adapted to press the heat sink to the electronic device, a first leg (20) extending downwardly from one end of the pressing part, and a supporting portion (11) extending from an opposite end of the pressing part, the supporting portion defining a hole (12); a cam member (Generally 40) located above the supporting portion, the cam member comprising a cam (44) and a handle (42) extending from the cam for rotating the cam, and a buckling piece (32) located below the supporting portion, the buckling piece comprising a connecting part (32) and a second leg (30) extending from the connecting part; wherein the connecting part moves up through the hole of the supporting portion to pivotally connect with the cam, and the heat sink can be secured to the electronic device by rotating the cam to a locked position from an unlocked position (As illustrated in Figs 3, 5 the connecting part moves up through the hole to connect with the cam and clips the heat sink to the component (Fig 5)).

With respect to claim 2, Liu further teaches that two reinforcing ribs extend downwardly from opposite longitudinal sides of the pressing part (As illustrated in Fig 2).

With respect to claim 3, Liu further teaches that a vertical thickness of each of the reinforcing ribs tapers from a center thereof to opposite ends thereof respectively (As illustrated in Fig 2).

With respect to claim 4, Liu further teaches that the first leg (20) comprises a lower rectangular end, and said end defines an aperture.

With respect to claim 5, Liu further teaches that the second leg (30) comprises a lower rectangular end, and said end defines an aperture (As illustrated in Fig 2)

With respect to claim 6, Liu further teaches that the cam is substantially bifurcated, with two parallel portions thereof (Defined by slot 46) receiving the connecting part (32) therebetween (As illustrated in Fig 2).

With respect to claim 10, Liu further teaches that the buckling piece (30) is only linked to the cam member, and is not connected to the supporting portion (The buckling portion connects to the cam through the hole and pivot (47) thus not connecting to the supporting portion itself).

With respect to claim 14, Liu further teaches that the buckling piece is only linked to the cam member (Via the hole (12) and the pivot (47)), and is not connected to the supporting portion.

With respect to claim 15, Liu further teaches a clip assembly comprising: a main body (Comprising 10, 11, and 13) defining an elongated pressing part with a first leg (20) extending downwardly from one end of said pressing part; a supporting portion (11) located on the other end of the pressing part; and an actuation combination including a cam member (44) and the buckling piece (30), the cam member essentially located on

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said supporting portion, the buckling piece essentially located below the supporting portion and defining a second leg (Comprising 31, 34) opposite to said first leg, a lower portion of the cam member pivotally linked to an upper portion of the buckling piece (Via pivot 47), said supporting portion defining a structure confining at least one of said cam member and said buckling piece so as to prevent said actuation combination from being dropped away from the main body while still allowing said combination to be moveable relative to the main body in a range; wherein neither the cam member nor the buckling piece is connected to the supporting portion (The buckling portion connects to the cam through the hole and pivot (47) thus not connecting to the supporting portion itself), and when said cam member is pivotally moved relative to the buckling piece and said supporting portion, said buckling piece is up and down moved relative to the supporting portion so as to perform a tension or relaxed manner relative to a heat sink (As illustrated in Figs 6 and 7, as the handle (42) moves downward and locks onto 83, to some degree an opposite force will be exerted onto the buckling piece causing it to move up or down. Additionally, at least some degree of tension must be exerted on members 82 in order for the clip to hold the heat sink to the component and board).

With respect to claim 16, Liu further teaches that both the first leg (20) and said second leg (30) define locking means (Via 31) at lower ends, respectively.

With respect to claim 17, Liu further teaches that the first leg (20) is integrally formed with the main body (Via reinforcing portion (13)).

Allowable Subject Matter

4. Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The allowability resides in the overall structure of the device as recited in dependent claim 7 and at least in part because claim 7 recites the use of a spring finger on the main plate.

The aforementioned limitations in combination with all remaining limitations of claim 7 are believed to render said claim 7 and all claims dependent therefrom (8) patentable over the art of record.

5. Claims 11-13 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The allowability resides in the overall structure of the device as recited in independent claim 11 and at least in part because claim 11 recites the use of a spring finger on the connecting part.

The aforementioned limitations in combination with all remaining limitations of claim 11 are believed to render said claim 11 and all claims dependent therefrom (12 and 13) patentable over the art of record.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,501,656; US 6,318,452; US 6,778,395. The aforementioned references all teach various types of heat sink clips.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached on Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ZMP



**ANATOLY VORTMAN
PRIMARY EXAMINER**